

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
v.)	CRIMINAL ACTION
)	NO. 03-40037-NMG
FABIAN CALVILLO-SANCHEZ,)	
Defendant,)	
_____)	

ORDER ON THE GOVERNMENT'S MOTION FOR DETENTION
November 24, 2003

SWARTWOOD, M.J.

I. Nature Of The Offense And The Government's Motion

On November 19, 2003, an Indictment was returned charging Fabian Calvillo-Sanchez ("Mr. Sanchez"), with illegal reentry of a previously deported alien, in violation of 8 U.S.C. § 1326(a).

At Mr. Sanchez's initial appearance and arraignment on November 24, 2003, the Government moved for a detention hearing in accordance with 18 U.S.C. § 3142(f)(2)(A)(risk of flight).

Following Mr. Sanchez's arraignment, he waived his right to an immediate detention hearing, assented to an order of detention, but reserved his right to a detention hearing in the future.

II. Order of Detention Pending Trial

In accordance with the foregoing memorandum,

IT IS ORDERED:

1. That Mr. Sanchez be committed to the custody of the Attorney General, or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. That Mr. Sanchez be afforded a reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Sanchez is detained and confined shall deliver Mr. Sanchez to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145(b).

/s/Charles B. Swartwood, III
CHARLES B. SWARTWOOD, III
MAGISTRATE JUDGE